

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Ronda Schmidt,)
Plaintiff,)
vs.)
House of Blues Concerts, Inc. and)
House of Blues Myrtle Beach Restaurant)
Corp.,)
Defendants.)
C/A NUMBER: 4:12-cv-00093-RBH

ORDER

This matter coming before the Court upon Plaintiff's motion for joinder of additional non-diverse parties, all Parties given due notice and their consent to the requested relief, and the Court being fully advised in the premises;

IT IS ORDERED:

1. This court finds that Plaintiff and Defendant hereby consent to the joinder of additional non-diverse defendants and remanding this action back to State Court.
2. This court further finds that joinder of additional non-diverse defendants is proper according to 28 U.S.C § 1447(e) which states, “If after removal the Plaintiff seeks to join additional defendants whose joinder would destroy subject matter jurisdiction, the Court may deny joinder, or permit joinder and remand the action to the State court.”
3. This court will no longer have subject matter jurisdiction upon joinder of a non-diverse defendant, and remanding this action back to State Court is proper.

4. That Plaintiff is entitled to amend her pleadings to add non-diverse defendants and this matter shall be remanded back to the Court of Common Pleas for the Fifteenth Judicial Circuit in Horry County.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Entered: January 26, 2012
Florence, South Carolina

I/WE CONSENT:

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